

RESOLUTION 15-2005

A RESOLUTION APPOINTING SPECIAL DEPUTY COUNTY ATTORNEYS

Whereas, the Madison County Attorney has requested prosecutorial assistance in the case of State v. Kevin Lee Redfield and,

Whereas, it is desired and deemed appropriate that a special deputy county attorney be appointed to assist in the prosecution of the aforementioned case, and

Whereas, Mont. Code Ann. § 44-4-111 authorizes the training coordinator for county attorneys to act as special counsel on the request of the county attorney and upon the approval of the board of county commissioners, and

Whereas, Mont. Code Ann. § 2-15-501(5) authorizes the Attorney General to provide assistance to county attorneys in the discharge of his or her duties, and

Whereas, the bureau chief of the Prosecution Services Bureau of the Department of Justice now functions as the training coordinator for county attorneys, together with the deputies within said bureau, as contemplated by Mont. Code Ann. § 44-4-111.

It Is Hereby Resolved:

That the attorneys assigned to the Prosecution Services Bureau of the Department of Justice are hereby appointed as special deputy county attorneys for Madison County for the purpose of assisting in the prosecution of the aforementioned case and that any of said deputies have the same capacity to act as the training coordinator/bureau chief.

It is Further Resolved:

That under the terms of this agreement, no fee will be charged for attorney time provided by the Bureau based upon the fact that pursuant to the internal operational policies adopted by the Attorney General September 1, 1999, assistance in such cases is provided without an hourly fee. Witness fees and expenses, jury costs, and other normal costs associated with trial will be the County's responsibility as with all other prosecutions.

APPROVED BY THE BOARD OF COMMISSIONERS THIS 25TH DAY OF JULY, 2005.

FRANK G. NELSON, Chairman

C. TED COFFMAN, Commissioner

DAVID SCHULZ, Commissioner

ATTEST: _____
Peggy Kaatz-Stemler
Clerk and Recorder